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TO:	PHONE #:	FAX #:
Examiner Gailene Gabel USPTO		(703) 308-4242

From : Michael A. Whittaker
Email Address : Mwhittaker@foleylaw.com
Sender's Direct Dial : 858.847.6721
Date : February 3, 2003
App. Serial Number : 09/835,287
Client/Matter No : 071957-1102
User ID No : 0093

OFFICIAL**MESSAGE:**

Please deliver immediately and directly to Examiner Gabel. Thank you.

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Atty. Dkt. No. 071957-1102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Kaplan

Title: Methods for Detecting an Analyte of Interest Using Catalized Reporter Deposition of Tyramide

Appl. No.: 09/835,287

Filing Date: 04/13/2001

Examiner: Gailene Gabel

Art Unit: 1641

CERTIFICATE OF FACSIMILE TRANSMISSION
 I hereby certify that this correspondence is being facsimile transmitted to: Commissioner for Patents, Box NO-FEE, Washington, D.C. 20231-0001 (703-308-4242) on the date indicated below.

February 3, 2003
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Line Gauthier
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 (Signature)

AMENDMENT TRANSMITTAL

Commissioner for Patents
 Box NON-FEE AMENDMENT
 Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

[X] The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	34	- 36	= 0	x \$18.00 =	\$0.00
Independents:	2	- 3	= 0	x \$84.00 =	\$0.00
First presentation of any Multiple Dependent Claims:			+ \$280.00 =		\$280.00
			Small Entity ½ Reduction		\$140.00
			CLAIMS FEE TOTAL:	=	\$140.00

- [] Please charge Deposit Account No. 50-0872 in the amount of \$140.00. A duplicate copy of this transmittal is enclosed.
- [] A check in the amount of \$140.00 is enclosed.

Atty. Dkt. No. 071957-1102

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

By 

Date: February 3, 2003

Michael A. Whittaker
Attorney for Applicant
Registration No. 46,230

FOLEY & LARDNER
Customer Number: 30542



30542

PATENT TRADEMARK OFFICE

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Patent

*#N/A
2/5/03
NA*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Kaplan

Serial No.: 09/835,287

Filed: April 13, 2001

Title: Methods for Detecting an Analyte of Interest Using Catalyzed Reporter Deposition of Tyramide

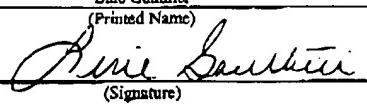
Examiner: Gailene Gabel

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February 3, 2003
((Date of Transmission))

Line Gauthier
(Printed Name)



(Signature)

RESPONSE TO OFFICE ACTION

Commissioner for Patents
Washington, D.C. 20231
Box Non-Fee Amendment

Dear Sir:

In response to the Office Action mailed November 6, 2002 ("Paper No. 9"), please enter the following amendments and consider the following remarks.

IN THE CLAIMS

Please cancel claims 21-36, which were removed from consideration by the Examiner following a restriction requirement, without prejudice to their future prosecution. Please replace claims 1-20 with the following amended claims. A marked-up set of claims, indicating the changes made,

Sub B
A1

1. (Amended) A method of detecting the presence of an intracellular analyte in one or more cells by flow cytometry, the method comprising:

- a) fixing and permeabilizing said cells;